

REMARKS

Applicant understands that he does not have the right to have this amendment entered since a response to the May 7, 2008 final Office Action was already filed in the form of the August 7, 2008 Request for Continued Examination and Preliminary Amendment. Nevertheless, applicant requests entry on the basis that entry would advance prosecution of the application by the Examiner's consideration of newly added claims 13-15 sooner rather than later.

For the sake of clarity, it is noted that the amendments herein are set forth based on the assumption that the amendments made in the August 7, 2008 RCE and Preliminary Amendment have been entered. That is, the present paper is supplementary rather than superseding.

Claim 7 is requested to be amended to put it in the same form as the other dependent claims.

Claims 13-15 are requested to be added. New independent claim 13 parallels claim 1 (as amended in the August 7, 2008 Request for Continued Examination and Preliminary Amendment) except that the phrase "encoded with one of MPEG-1 Audio Layer 3 (MP3), MPEG-2, Advanced Audio Coding (AAC), or Adaptive Transformed Acoustic Coding (ATRAC)" has been deleted. In addition, the phrase "at least" has been deleted.

Most of the reasons stated by applicant in the August 7, 2008 Request for Continued Examination and Preliminary Amendment as to why claim 1 distinguishes over the cited art are also applicable to new claim 13. Such reasons are not repeated herein, except to note that the cited art does not teach nor render obvious that "said decoder starts to read out the compressed waveform data before said tone generator

section starts to generate the musical tones so as to prevent a delay in generating the musical tones.”

Dependent claim 14 specifies that “the tone generator section generates musical tones based on waveform data inputted by a user and stored in said second waveform storage, in addition to, or in place of, the waveform data decoded by the decoder, depending on a mode set by the user with respect to one or more program numbers.” It is respectfully submitted that such limitation is not met, nor rendered obvious, by the cited art.

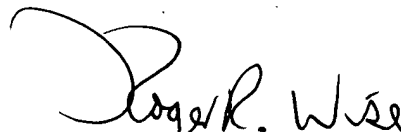
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference call would advance prosecution of the application.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

Date: September 18, 2008

By: _____



Roger R. Wise
Registration No. 31,204
Customer No. 27496

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033